



Morrison & Foerster, LLP
755 Page Mill Rd
Palo Alto, CA 94304-1018

MAILED

APR 11 2011

In re Application of
Adam Gold, et. al.
Application No. 10/735,340
Filed: December 12, 2003
Attorney Docket No. 506512002100

OFFICE OF PETITIONS
DECISION ON PETITION
TO WITHDRAW
FROM RECORD

This is a decision on the Request to Withdraw as attorney or agent under 37 CFR § 1.36(b) or 37 CFR § 10.40 filed February 11, 2011.

The request is **NOT APPROVED**.

A review of the file record indicates that the attorneys/agents associated with Customer Number 25226 do not have power of attorney in this patent application but may have been employed in or otherwise engaged in the proceedings in this patent application. Accordingly, the request to withdraw under 37 CFR § 1.36(b) is not applicable¹.

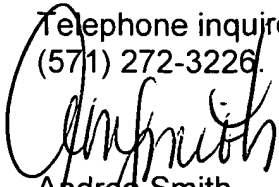
In this case, it is noted that a change of correspondence address was filed on February 19, 2009. However, a change of correspondence does not affect the power of attorney in the above application. Therefore, since the Office mistakenly changed the power of attorney in this application, the records will be reverted to show that the attorney/agents under Customer Number 20872 remain of record until a proper power of attorney or authorization of agent is filed.

There is an outstanding Office action mailed November 29, 2010, that requires a reply from the applicant.

All future communications from the Office will continue to be directed to the above-listed address until otherwise properly notified by the applicant.

¹ The Office will no longer approve requests from practitioners to withdraw from application where the requesting practitioners is acting, or has acted, in a representative capacity pursuant to 37 CFR 1.34. In these situations, the practitioner is responsible for the correspondence the practitioner files in the application while acting in a representative capacity. As such, there is no need for the practitioner to obtain the Office's permission to withdraw from representation. However, practitioners acting in a representative capacity, like practitioners who have power of attorney in the application, remain responsible for noncompliance with 37 CFR 1.56, as well as 37 CFR 10.18, with respect to the documents they file.

Telephone inquires concerning this decision should be directed to the undersigned at
(571) 272-3226.



Andrea Smith
Petitions Examiner
Office of Petitions

cc: Morrison & Foerster, LLP
425 Market Street
San Francisco, CA 94105-2482

Novare Surgical Systems, Inc.
10440a Bubb Road
Cupertino, CA 95014